IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 28TH JUNE 2007 / 7TH ASHADHA 1929

CRL.A.No. 1094 of 2007()

AGAINST THE ORDER DATED 30/03/2006 IN MC.38/2006 IN SC.631/2005 of ADDL. SESSIONS COURT (ADHOC-I), KOLLAM

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APPELLANT: COUNTER PETITIONERS 2 & 3:

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1. SREEDEVI, D/O. PONNAPPAN,
VIJAYA VIHAR, THRIKOVILVATTOM,THAZHUTHALA VILLAGE
NOW RESIDING AT VIJAYA VIHAR, PUTHICHIRA,
UMAYANALLOOR P.O., KOLLAM.

2. SANTHOSH, S/O. SOMAN,
NEW COLONY, THATTAMALA CHERRY,VADAKKAVILA VILLAGE,
NOW RESIDING AT VIJAYA VIHAR, PUTHICHIRA,
UMAYANALLOOR (PO), KOLLAM.

BY ADV. SRI.K.SASIKUMAR
SRI.S.SREEDUTT

RESPONDENT: PETITIONER:

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.C.M.KAMMAPPU

THIS CRIMINAL APPEAL HAVING COME UP FOR ADMISSION ON 28/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.R.UDAYABHANU, J

Crl.A.No.1094 of 2007

Dated this the 28th day of June, 2007

JUDGMENT

The appellants are the sureties against whom the court had initiated proceedings vide M.C.No.38/06 as the accused absconded.

2. It is submitted that the accused was subsequently apprehended and is in judicial custody and is undergoing trial. It is submitted that the appellants are too poor to raise the amount of penalty of Rs.10,000/- each as ordered by the court below. In the circumstances and in view of the fact that the accused have been apprehended the penalty imposed is reduced to Rs.2,000/-.

The criminal appeal is disposed of accordingly.

K.R.UDAYABHANU,
JUDGE

csl